multiplied by one second the average transfer rate equals the average file size per second. If the size

of the files is small, the overhead will push the average transfer rate higher closer to the division

result, and in that case the average transfer rate is that result.

Please amend paragraph [0017] *0011* as follows:

[0017] *0011* The present invention is [[base]] based, in part, on the observation that historical

uploading information can facilitate learned upload time estimates. This principle is applied in a

new model of a downloadable web tool for establishing upload time estimates. The new model

facilitates a more realistic upload time estimate feedback to the user of the Photos web site. The web

tool with the new module is designed to address the aforementioned need and it is referred to as the

"photo uploader" tool.

Please amend paragraph [0022] *0016* as follows:

[0022] *0016* The host server 100 contains all the html pages that make up the Photos web site.

These web pages allow the user to view photos, share photos with friends, and order reprints of

photos. As in other web applications, to access files and albums on the Yahoo! Photos.TM. web site,

the web site requires a unique Yahoo Id and password. The upload server 102 is used for accessing

an end-user's files. There are predefined application programming interfaces (APIs) that a client

application uses in order to view, upload, and download files from the server. An API is a specific

method prescribed by a computer operating system or by an application program by which a

programmer writing an application program can make requests of the operating system or another

application. Preferably, but not necessarily, the client tool is an ActiveX program written in C++,

and it is used within the Microsoft Internet Explorer. It utilizes Microsoft ATL/WTL code libraries

to accomplish the various tasks, and it runs on personal computers that use Microsoft

Windows.RTM. operating system. Note that the photo uploader tool is parameter based, so that it can upload any type of file. It doesn't have to necessarily be an image file, and it can be any file including self-extracting executable (.exe) file. However in the exemplary system the one or more files are JPEG (Joint Photographic Experts Group), GIF (Graphic Interchange Format), PNG (Portable Network Graphics), or BMP (bit mapped) formatted files.

Please amend paragraph [0039] 0033 as follows:

[0039] 0033 Note that there can be accommodations for small files. That is, if the average file size in the current upload, derived by ~~diving~~ dividing the current upload size by the number of selected files, is smaller than the average transfer rate [[over]] multiplied by one second, the ~~smaller~~ average file size per second can be used ~~for setting~~ as the transfer rate in place of the ~~calculated~~ average transfer rate.